MINUTES OF THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

U.S.A. vs Gabriel Crosthwaite-Montoya No. 08CR1179-IEG

The Court finds excludable delay, under the section indicated by check (√),
commenced on 5/13/08 and ended on 8/11/08; ( )
and ended on . ( )

3161(h)			
___(1)(A)	Exam or hrg for mental or physical incapacity		A
___(1)(B)	NARA examination (28:2902)		B
___(1)(D)	State or Federal trials or other charges pending		C
___(1)(E)	Interlocutory appeals		D
X (1)(F)	Pretrial motions (from flg to hrg or other prompt dispo)		(E)
___(1)(G)	Transfers from other district (per FRCrP 20, 21 & 40)		F
___(1)(J)	Proceedings under advisement not to exceed thirty days		G
___	Misc proc: Parole or prob rev, deportation, extradition		H
___(1)(H)	Transportation from another district or to/from examination or hospitalization in ten days or less		6
___(1)(I)	Consideration by Court of proposed plea agreement		7
___(2)	Prosecution deferred by mutual agreement		I
___(3)(A)(B)	Unavailability of defendant or essential witness		M
___(4)	Period of mental or physical incompetence of defendant to stand trial		N
___(5)	Period of NARA commitment or treatment		O
___(6)	Superseding indictment and/or new charges		P
___(7)	Defendant awaiting trial of co-defendant when no severance has been granted		R
___(8)(A)(B)	Continuances granted per (h)(8)-use "T" alone if more than one of the reasons below are given in support of continuance		T
___(8)(B)(I)	1)	Failure to grant a continuance in the proceeding would result in a miscarriage of justice and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial. (Continuance - miscarriage of justice)	(T1)
X	2)	Failure to grant a continuance of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted. (Continuance - tendered a guilty plea)	
___(8)(B)(ii)	2)	Case unusual or complex	T2
___(8)(B)(iii)	3)	Indictment following arrest cannot be filed in thirty (30) days	T3
___(8)(B)(iv)	4)	Continuance granted in order to obtain or substitute counsel, or give reasonable time to prepare (Continuance re counsel)	T4
___3161(I)	Time up to withdrawal of guilty plea		U
___3161(b)	Grand jury indictment time extended thirty (30) more days		W

Date 5-13-08

[signature]
Judge's Initials